

On Wednesday, May 10, 2017, at 8:31 a.m. the Dayton City Commission met in regular session in the Commission Chambers of City Hall.

CALL TO ORDER

Mayor Whaley called the meeting to order.

INVOCATION

Commissioner Shaw gave the invocation.

PLEDGE OF ALLEGIANCE

Mayor Whaley led the public in the Pledge of Allegiance.

ROLL CALL

Roll call was taken and Mayor Whaley, Commissioners Williams, Joseph, Mims and Shaw were present. The Clerk of Commission, Ms. Rashella Lavender, and the City Manager, Ms. Shelley Dickstein, were also present.

APPROVAL OF MINUTES

Commissioner Mims made the motion to approve the minutes from the May 3, 2017, meeting.

Commissioner Williams seconded the motion. The previous meeting minutes were unanimously approved.

COMMUNICATIONS AND PETITIONS

Communication #21220

State of Ohio, Department of Liquor Control – Permit Application D5 Permit #3508350 – Christopher Hale, DBA A & A Grille, 939 North Keowee Street & Patio, Dayton, Ohio 45404.

The Clerk of Commission reported receipt of Permit Application D5 Permit #3508350 – Christopher Hale, DBA A & A Grille, 939 North Keowee Street & Patio, Dayton, Ohio 45404. The application was referred through the City for investigation.

Communication #21221

State of Ohio, Department of Liquor Control – Permit Application C1, C2, Permit #6547738 – OMLAXMINARAYAN LLC, DBA Groceryland, 1451 Troy Pike, Dayton, Ohio 45424.

The Clerk of Commission reported receipt of Permit Application C1, C2, Permit #6547738 – OMLAXMINARAYAN LLC, DBA Groceryland, 1451 Troy Pike, Dayton, Ohio 45424. The application was referred through the City for investigation.

SPECIAL AWARDS/PRESENTATIONS

Public Works

Mayor Whaley invited Mr. Fred Stovall, Director of Public Works, to the podium to recognize employees receiving the Dayton All Star Awards.

Mr. Stovall said this award is given in recognition of employees that routinely demonstrates accountability and ownership, courtesy and professionalism, or one who takes initiative. He said the Dayton Delivers All Stars for this year are Ms. Yolanda Clark (Police Department), Ms. Tiffany Steele (Central Services), Ms. Mary Kaye Thomas (Court), and Ms. Shonda Bryant (OMB). He said each employee will receive a complimentary day off and be recognized in City publications and on social media.

Commissioner Williams asked Ms. Dickstein to give more information about the award.

Ms. Dickstein said the Dayton Delivers values are employees who displays accountability, ownership, and professionalism. She said employees or citizens may nominate City employees for this award.

ADDITIONS OR DELETIONS TO THE CALENDAR

There were no additions or deletions to the calendar.

REPORTS:

A. Purchase Orders, Price Agreements and Contracts:
(All contracts are valid until delivery is complete or through December 31st of the current year).

1. Purchase Orders:

CENTRAL SERVICES

A1. Proficient Information Technologies, Inc. (professional technical consulting services as needed through 12-31-17) **\$28,756.14**

1.

OFFICE OF MANAGEMENT & BUDGET

B1. Trigen Technologies, Inc. dba ESBON (temporary staffing services as needed through 12-31-17) **10,000.00**

PLANNING & COMMUNITY DEVELOPMENT

C1. Byers Chevrolet (three mid-size sport utility vehicles) **69,942.00**

C2. Middletown Ford, Inc. (one mid-size sedan) **18,186.00**

POLICE

D1. ARAMSCO, Inc. (twenty-six riot control masks) **10,101.00**

D2. Middletown Ford, Inc. (five mid-size sedans) **92,955.00**

D3. Vance Outdoors, Inc. (Strategic Weapons and Tactics – SWAT – team armor and gear) **82,061.20**

PUBLIC WORKS

E1. Middletown Ford, Inc. (one cargo van) **22,882.00**

E2. Southeastern Equipment Company (one backhoe-loader) **91,541.45**

RECREATION & YOUTH SERVICES

F1. Andy Frain Services, Inc. (security guard services as needed through 09-30-17) **16,000.00**

WATER

G1. Vertical Communications, Inc. (Mitel Licensing and services as needed through 12-31-17) **22,782.30**

G2. Bulk Transit Corp. (pebble lime hauling services as needed through 12-31-17) **33,500.00**

G3. A & A Safety, Inc. (traffic cones, barricades and related safety supplies as needed through 12-31-19) **53,000.00**

G4. Fairborn Cement Company LLC (Portland concrete as needed through 12-31-17) **10,000.00**

G5. Protect Plus LLC (water pitcher systems) **20,000.00**

-Depts. of Central Services, Planning & Community Development, Police, Public Works, Recreation & Youth Services, Water and Office of Management and Budget.

Total: \$581,707.09

2. **ATC Group Services, LLC – Service Agreement** – for the Wayne Avenue Reconstruction, Wyoming Street Reconstruction, 2017 Bus Pad Replacement, Third Street Safety Improvements, and Merchants Row TE Agreement for Consulting Services – Dept. of Public Works/Civil Engineering **\$13,211.25**
(Thru 12/31/19)

3. **Five Rivers MetroParks – Service Agreement** – for the Dayton Riverfront Master Plan – Dept. of Planning & Community Development **\$225,000.00**
(Thru 11/1/18)

4. **LWC Incorporated – Service Agreement** – for the Master Professional Services Agreement for specialized professional airport services for projects at the Dayton International Airport and the Dayton-Wright Brothers Airport – Dept. of Aviation. **\$12,000,000.00**
(Thru 12/31/19)

B. Construction Contracts:

5. **Barrett Paving Materials, Inc. – Award of Contract** – for the Wayne Avenue Resurfacing Project (5% DBE Participation Goal/6.42% DBE Participation Achieved) (Federal Construction Funds) – Dept. of Public Works/Civil Engineering. **\$214,717.80**
(Thru 10/20/19)
6. **Barrett Paving Materials, Inc. – Award of Contract** – for the 2017 Residential Asphalt Resurfacing I (18% MBE Participation Goal/18% MBE Participation Achieved) – Dept. of Public Works/Civil Engineering. **\$1,617,350.00**
(Thru 8/12/19)
7. **Barrett Paving Materials, Inc. – Award of Contract** – for the 2017 Residential Asphalt Resurfacing II (18% MBE Participation Goal/18.3% MBE Participation Achieved) – Dept. of Public Works. **\$1,708,439.25**
(Thru 8/12/19)
8. **CPM Enterprises, LLC – Award of Contract** – for the Nuisance Abatement Program Residential and Commercial Securing I – 2017 (100% SBE Participation Goal/100% SBE Participation Achieved) – Dept. of Planning & Community Development/Housing Inspection. **\$222,872.00**
(Thru 12/31/19)

CITIZENS' COMMENTS ON CALENDAR ITEMS

There were no citizens registered to speak on calendar items.

DISCUSSION OF CALENDAR ITEMS

Calendar Item No. 5. – Barrett Paving Materials – Award of Contract, Calendar Item No. 6. – Barrett Paving Materials – Award of Contract, Calendar Item No. 7. – Barrett Paving Materials – Award of Contract

The City Manager, Ms. Shelley Dickstein said these are contracts for residential resurfacing. She said for a detail listing of streets citizens may visit the City of Dayton website. Ms. Dickstein asked citizens to be cognizant that this is an eight year program and not all streets will be completed in the first year.

Commissioner Williams asked how many lane miles should be completed each year.

Ms. Dickstein said normally there should be 70 to 80 lane miles per year but due to the recession only 20 lane miles were completed. She said these contracts will allow for around 75 lane miles to be resurfaced per year over the next eight years.

Calendar Item No. 4. - LWC Incorporated- Service Agreement

The City Manager, Ms. Shelley Dickstein, Ms. Dickstein said this is a Master Professional Services Agreement for three years for construction improvements at the Dayton International Airport and the Dayton Wright Brothers Airport.

Ms. Dickstein invited Mr. Terry Slaybaugh, Director of Aviation, to the podium to provide clarification of this Service Agreement.

Mr. Slaybaugh said LWC Inc. is a local firm which supports the construction program. He said the projects will be funded by local grants, and federal and state funds and will make our airports competitive for federal funds.

APPROVAL OF CITY MANAGER'S RECOMMENDATIONS

Commissioner Williams made the motion to approve the City Manager's Reports. Commissioner Mims seconded the motion. The City Manager's Reports were approved with a 5-0 vote. Voting in the affirmative were Mayor Whaley, Commissioners Williams, Joseph, Mims and Shaw.

LEGISLATION

EMERGENCY RESOLUTIONS – FIRST AND SECOND READING

Emergency Resolution No. 6252-17 - Authorizing the Acceptance of a Grant Award from the Ohio Office of Criminal Justice Services (OCJS) in an Amount up to Twenty Thousand Dollars and Zero Cents (\$20,000.00), and Declaring an Emergency.

Commissioner Joseph moved that this being an emergency measure for the immediate consideration of the Resolution. Commissioner Shaw seconded the motion. The motion was passed with a 5-0 vote. Voting in the affirmative were Mayor Whaley, Commissioners Williams, Joseph, Mims and Shaw. The question being shall Emergency Resolution No. 6252-17 be adopted. A roll call vote was taken resulting in a 5-0 vote. Voting in the affirmative were Mayor Whaley, Commissioners Williams, Joseph, Mims and Shaw. The Emergency Resolution was adopted.

Emergency Resolution No. 6253-17 - Authorizing the City Manager to Accept Funding From the Economic Development and Government Equity Program, as Approved by the Board of County Commissioners of Montgomery, County, Ohio, in an Amount Not to Exceed Five Hundred Thousand Dollars and Zero Cents (\$500,000.00) for the Standard Register, Inc. Project, on Behalf of the City of Dayton, and Declaring an Emergency.

Commissioner Mims moved that this being an emergency measure for the immediate consideration of the Resolution. Commissioner Williams seconded the motion. The motion was passed with a 5-0 vote. Voting in the affirmative were Mayor Whaley, Commissioners Williams, Joseph, Mims and Shaw. The question being shall Emergency Resolution No. 6253-17 be adopted. A roll call vote was taken resulting in a 5-0 vote. Voting in the affirmative were Mayor Whaley, Commissioners Williams, Joseph, Mims and Shaw. The Emergency Resolution was adopted.

ORDINANCE – SECOND READING

Ordinance No. 31561-17 - Amending Section 70.121 of the Revised Code of General Ordinances of the City of Dayton Relating to Civil Penalties for Dayton's Automated Traffic Control Photographic System, to Provide for Civil Liability for Red Light and Speeding Violations Detected through the Use of Traffic Law Photo-Enforcement Devices.

The question being shall Ordinance No. 31561-17 be passed. A roll call vote was taken resulting in a 5-0 vote. Voting in the affirmative were Mayor Whaley, Commissioners Williams, Joseph, Mims, and Shaw. The Ordinance was passed.

CITIZENS' COMMENTS

Citizens' comments were received from the following:

1. **Mr. Keith Landers 429 S. Kilmer Ave.** – spoke about dog attacks in the City of Dayton.

Chief Richard Biehl, Police Department, said unfortunately police is not always able to identify owners of vicious dogs which is a real challenge. He said citizens should work with police to help identify dogs in the neighborhood. Chief Biehl said citizens should be aware that police officers have been trained by the Animal Resource Center.

COMMENTS BY THE CITY MANAGER

The City Manager, Ms. Shelley Dickstein, had no closing comments.

COMMENTS BY THE CLERK OF COMMISSION

The Clerk of Commission, Ms. Rashella Lavender, had no closing comments.

COMMENTS BY CITY COMMISSION

The City Commission had no closing comments.

ADJOURNMENT

There being no further business, the meeting was adjourned at 8:59 a.m.

Mayor Nan Whaley

Attest: _____
Clerk of Commission